

Nadler Statement on Voting Rights Act Reauthorization

Wednesday, 12 July 2006

WASHINGTON, D.C. — The House of Representatives is poised to pass H.R. 9, reauthorizing the Voting Rights Act of 1965. Congressman Jerrold Nadler is the ranking Democrat on the Constitution Subcommittee, which has jurisdiction over the bill. Congressman Nadler delivered the following remarks on the House floor in support of reauthorization of this critical civil rights protection.

“Mr. Speaker, today we will vote on the most fundamental of American values: the right to cast a meaningful vote in a free and fair election. We have declared to the world that this is what we stand for. It is what we have insisted other nations do.

The Voting Rights Acts has helped fulfill the promise that all Americans are created equal, and the promise of the Civil War amendments that every American has an equal right to participate in the life of our nation.

Today, we will see if this Congress is willing to practice what we preach.

This bill is the product of careful bipartisan work, months of careful fact finding, research, negotiation, all producing a hearing record thousands of pages long and legislation which is balanced and will withstand constitutional scrutiny.

We have made great progress as a nation, but that work is not finished. The extensive record collected by the Judiciary Committee documents the many problems that still need to be addressed. It is impossible to read that record without concluding that the progress we have made so far is due, in large part, to the Voting Rights Act, and that this progress would be threatened if we failed to reauthorize it.

Let me say a word about section 5, because there are many from other parts of the country who believe they have been unfairly singled out. I am from New York City, hardly part of the old Confederacy, but we are under the coverage of section 5 as well. We got there honestly—we earned it. I would hope that one day section 5 protection would not be needed in New York.

Section 5 is not, as some would argue, a punishment; it is a remedy. It protects voters from being disenfranchised. It is in place because local governments have a long history of disenfranchising Americans that continues right up to the present time, as the shameful attempts by the states of Georgia and Texas to restrict voting participation, which had to be knocked down by the Federal courts as recently as yesterday, clearly show. And this makes particularly unfortunate the attempts led by some House members from Georgia and Texas to restrict the reach of Section 5.

The Voting Rights Act provides a mechanism, in current law, for us to get out—honestly—when the record shows it is no longer needed. Our research has indicated that this existing bail-out procedure works and is adequate to ensure that section 5 does not continues to cover jurisdictions where it is no longer needed. We should leave that mechanism in place and should not try to do legislatively what the facts cannot justify.

I would also like to address section 203, which provides voting help for language minorities. New York has many communities covered by section 203. Frankly, we have communities not currently covered that ought to be. We were told that it was not politically possible to expand section 203 to cover all the voters who ought to be protected. That was a compromise and it was not a particularly palatable one for me, or for many of my constituents.

Now we are told that this bipartisan compromise is no good, that people with limited language ability—including native Americans and native Alaskans, who were here long before my family or probably any of yours—should not have the means to vote effectively. That’s wrong.

Section 203 works. People should no more be denied the franchise due to limited English language proficiency than they once were for illiteracy. We live with section 203 in New York. Our experience demonstrates that it is not an excessive or unworkable mandate. I know opponents will point to failures in administration, but poor execution is not a reason to eliminate language assistance; it is cause for demanding that the job be done right.

I urge my colleagues not to allow a small group to drag this nation back to the days of Jim Crow voting. If we are to be a beacon of democracy in the world, then we must stand by our own values. Reject these divisive amendments. Do not water down the Voting Rights Act.”

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